

IN THE UNITED STATES DISTRICT COURT JUN - 8 2010

FOR THE DISTRICT OF NEW MEXICO

MATTHEW J. DYKMAN

CLERK

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	CRIMINAL NO. <u>10-1655</u>
)	
vs.)	Count 1: 21 U.S.C. §§ 841(a)(1)
)	and (b)(1)(C): Distribution of
JOHN PACHECO,)	Cocaine; 18 U.S.C. § 2: Aiding and
)	Abetting;
Defendant.)	Count 2: 21 U.S.C. §§ 841(a)(1)
)	and (b)(1)(C): Distribution of
)	Cocaine; 18 U.S.C. § 2: Aiding and
)	Abetting.

INDICTMENT

The Grand Jury charges:

Count 1

On or about May 1, 2010, in Rio Arriba County, in the District of New Mexico, the defendant, **JOHN PACHECO**, unlawfully, knowingly and intentionally distributed a mixture and substance containing a detectable amount of cocaine.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), and 18 U.S.C. § 2.

Count 2

On or about May 11, 2010, in Rio Arriba County, in the District of New Mexico, the defendant, **JOHN PACHECO**, unlawfully, knowingly and intentionally distributed a mixture and substance containing a detectable amount of cocaine.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), and 18 U.S.C. § 2.

FORFEITURE ALLEGATION

Upon conviction of Count 1 or Count 2 as alleged in this Indictment, the

defendant, JOHN PACHECO, shall forfeit to the United States pursuant to 21 U.S.C. § 853 any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of the offenses in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C) for which the defendant is convicted, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the said offense, and all property traceable to such property, including but not limited to the following:

1. \$900 in United States Currency;
2. \$2,700 in United States Currency; and
3. a green-colored All Terrain Vehicle.

If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p).

A TRUE BILL:

/s/
FOREPERSON OF THE GRAND JURY

Assistant United States Attorney